

Request for Discharge of Federal Family Education Loan Due to False Certification of Ability to Benefit



INSTRUCTIONS

YOU MAY HAVE A RIGHT TO HAVE YOUR GUARANTEED STUDENT LOAN(S) DISCHARGED because the school you attended *falsely certified* that you had the ability to benefit from the course you took. If you qualify, you will not have to pay any more on your student loan(s) and any money you have paid or that has been taken from your tax refund (or lottery winnings) will be refunded to you. To learn if you qualify to have your loan discharged, read and follow these instructions carefully. You may use this form if you were a student who received a guaranteed student loan or if you are a parent who took out a guaranteed student loan (called a PLUS loan) for your child.

Falsely certified: A school "falsely certified" a student's eligibility for a student loan if the school enrolled a student who did not have a high school diploma or a GED and the school did not properly determine the student's ability to benefit in accordance to federal regulations before enrolling the student. A school also "falsely certified" a student if the student had a disqualifying condition at the time of enrollment that would result in the student *not* meeting the legal requirements for employment in the occupation the program was intended to prepare the student for.

You or Student: When the form says "You" or "student," it means the student the loan was for.

Borrower: When the form says "Borrower," it means whoever took out the loan, either the student or parent.

School: When the form says "School," it means the school you received the student loan to attend.

Did you (the student) or the school receive any part of the student loan money on or after January 1, 1986? ☐ Yes ☐ No

If the answer is no, do not fill out this form. It does not apply to you.

If the answer is yes, you must complete both sides of this form, sign it and return it to the current holder of your student loan(s).

Current Holder: The "current holder" is the company or agency that most recently asked you for payment on your student loan(s). If more than one company is asking you for payment on your student loan(s), fill out and send a form to each company. If you do not know who is the current holder of your student loan(s) and you believe that the California Student Aid Commission is the guaranty agency for your loan(s), you may call (916) 445-0880 to get the name and address of the current holder of your loan(s).

Keep a copy of your completed form for your records.

I. BORROWER INFORMATION

(If different than when loan was guaranteed, also provide original name and/or Social Security number)

Name (last, first, middle initial)			
Social Security number <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		
Current address	City	State	Zip code
Home phone number ()	Work phone number ()		

II. STUDENT INFORMATION (PLUS loan only)

Name (last, first, middle initial)	Social Security number <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
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III. STUDENT'S SCHOOL INFORMATION

School name	USDE code (if known)	Course of study (education program)	
School address	City	State	Zip code

- Did you have a high school diploma before you began the school? ☐ Yes ☐ No
- If "no," did you have a GED (general education development) before you completed the program at the school? ☐ Yes ☐ No
- Did the school give you a test before the school accepted you for enrollment? ☐ Yes ☐ No
- If "yes," was there anything not proper about the way the test was given or scored? ☐ Yes ☐ No If yes, please briefly explain _____
- If "no," did the school give you and did you complete a program of **remedial** or **developmental** education? ☐ Yes ☐ No
(A **remedial** or **developmental** educational program means an extra program [besides the program you enrolled in at the school] to teach you basic subjects you should have learned in elementary or high school.)
- Did you complete the program you enrolled in at the school? ☐ Yes ☐ No
- Did you get a job in the occupation the program was intended to prepare you for? ☐ Yes ☐ No
- If "yes," did you get the job **only** after you received more training besides what the school listed above gave you? ☐ Yes ☐ No
- When you enrolled at the school, did you have a **status** or **condition** as prohibited by state law that would have prevented you from being accepted into the educational program or from being able to work in that occupation? ☐ Yes ☐ No
(A **status** or **condition** preventing your acceptance into an educational program or from performing the work in the occupation the program was designed to prepare you for includes, for example:
 - A criminal record, if that would prevent you from getting a state required license (in your state of residence) for the job you trained for.
 - A physical or mental disability prohibited by state law (in your state of residence) that would prevent you from doing the work in the occupation the program trained you for.
 - The lack of a high school diploma if your state of residence required a high school diploma to take the license exam for the occupation the program trained you for.If yes, briefly explain: _____

- Did borrower receive a refund either personally or as a credit to the loan obligation from the holder of a performance bond or a tuition recovery program with respect to the loan(s) in question? ☐ Yes ☐ No If yes, please indicate the amount received here: \$ _____

IV. LOAN PAYMENT HISTORY (please check only one box for each statement)

- | | | |
|---------------------------------|-----------------------------------|---|
| <input type="checkbox"/> I have | <input type="checkbox"/> have not | made payments on this loan to my lender. |
| <input type="checkbox"/> I have | <input type="checkbox"/> have not | made payments on this loan to a collection agency or the California Student Aid Commission. |
| <input type="checkbox"/> I have | <input type="checkbox"/> have not | had involuntary payments made on this loan as a result of a tax or lottery offset. |

V. Borrower Certification

Please read the following statements carefully. If each of these statements is correct, sign and date this form and return it within 60 days to the address indicated on the enclosed letter.



- ▲ I received proceeds from any disbursement of a Stafford, SLS or PLUS loan, in whole or in part, on or after January 1, 1986.
- ▲ I did not make a claim with respect to the school's false certification of my loan application with any third party, such as the holder of a performance bond or a tuition recovery program or if I did, the amount of any funds I received has been disclosed in question #9 on the front of this form. If I did receive such funds, they will be deducted from any refund for which I might be otherwise eligible.
- ▲ I (or the student for whom I borrowed) was admitted to the school identified by me on this form on the basis of ability to benefit from its training and did not meet the applicable requirements for admission on the basis of ability to benefit.
- ▲ I (or the student for whom I borrowed) either:
1. withdrew from the school and did not find employment in the occupation for which the program was intended to provide training; or
 2. completed the training program for which the loan was made and I (or the student for whom I borrowed) made a reasonable attempt to obtain employment in that occupation but was unable to find such employment; or
 3. completed the training program for which the loan was made and I (or the student for whom I borrowed) obtained employment in that occupation only after receiving additional training that was not provided by the school that certified the loan.
- ▲ I agree to provide, upon request by the Department of Education (or its designee), other documentation reasonably available to me that demonstrates, to the satisfaction of the Department, that I meet the false certification discharge criteria. I also agree to cooperate with the Department (or its designee) in enforcement actions and to transfer any right to a loan refund (up to the amount discharged) that I may have by contract or applicable law with respect to the loan or the enrollment agreement for the program for which the loan was received, against the school, its principals, affiliates and their successors, its sureties, and any private fund, including the portion of a private fund that represents funds received from a private party.
- ▲ I understand that, if I am delinquent on my loans, I am agreeing to a forbearance unless I check the box below. The forbearance will cover the delinquent period to the date my lender received reliable information regarding the possibility of this loan discharge. A forbearance means my lender will add the unpaid accrued interest onto my loan principal (capitalization).
- ☐ I do not wish to receive a forbearance.

I hereby certify, under penalty of perjury, that all statements on this application are true including the certification above. (Making a false statement on this application is punishable by imprisonment, fine or both.)

Applicant signature

Date

